

**Notes from the AG IACC Subcommittee Meeting on December 22<sup>nd</sup>, 2003**

**Attendees:**

Bob Elliott (CDPR)	Celeste Cantu (SWRCB)
Stephen Fagundes (SWRCB)	Ed Meyer (Contra Costa Co. Ag. Commissioner)
Leslie Laudon (SWRCB)	Shakoora Azimi (Central Valley RWQCB, Sacramento)
Bruce Fujimoto (SWRCB)	Rainer Hoenicke (Resources Agency)
Tom Pinkos (Central Valley RWQCB, Sacramento)	Kathy Brunetti (CDPR)
John B. Meek Jr. (San Joaquin Co & Delta Water Quality Coalition)	David Bolland (ACWA)
Larry Schwankl (UCCE)	Jessie Maxfield (SWRCB)
Dan Putnum (UCCE, UC Davis)	Olen Zirkle (Sac Valley Water Coalition)
Paul Kjos (Shasta County Dept. of Ag.)	Bill Frost (UC ANR)
Bruce Roberts (UCCE, Kings County)	Ben Wallace (Ca.RCD)
Kelly Briggs (Central Valley RWQCB, Sacramento)	Steve Chedester (San Joaquin River Exchange Contractors Water Authority)
Bill Marshall (Central Valley RWQCB, Sacramento)	Al Vargas (CDFA)
Walt Shannon (SWRCB)	Barbara Todd (CDFA)
Dennis Gudgel (Stanislaus Co. Ag. Commissioner)	Ron Rowe (Merced County)
Jerry Prieto (Fresno Co. Ag. Commissioner)	Alison Jones (Central Coast RWQCB)
Michael Niemi (Modesto Irrigation District)	Paul Forsberg (DFG)
Joe Lima (Modesto Irrigation District)	Guy Chetalet (Central Valley RWQCB, Redding)
David Cory (San Joaquin Exchange Contractors Water Authority)	Elaine Archibald (California Urban Water Agencies)
Jeff Pileman (Placer County)	Fraser Sime (DWR)
David Corey (SJ River Exchange)	Mary Bianchi (UCCE)
Bob Lilley (SLO County)	Amanda Bern (Central Coast RWQCB)
Jeff Pileman (Placer Co.)	Joe McGahan (Westside San Joaquin River Watershed Coalition)
Bruce Roberts (UCD)	
Bill Croyle (Central Valley RWQCB, Sacramento)	Mary McClanahan (Ca. Water Institute)

Celeste Cantu (SWRCB Executive Director) made some opening remarks expressing her appreciation to all those who are participating in this group. She feels that it is critical to have involvement of all levels of government to address water quality issues related to irrigated agriculture. She asked for continued investment in this collaborative process.

Tom Pinkos (CVRWQCB Executive Officer) also expressed his support of interagency coordination as a means to address the irrigated lands waiver issues. He stated that this program is the number one priority for the CVRWQCB and many resources are being directed towards it. The recent centralization of the Sacramento offices is going to help with coordination on this program. He feels that this waiver signifies a significant turning point in water quality history. There has been a shift in thinking. It is an exciting time at the CVRWQCB - staff are learning a lot and are open to new ideas and non-traditional thinking. He also added that the agenda item originally scheduled for the January Board meeting (i.e., draft sample general order and information on fees and funding) will go before the Board in March instead. A program status report will be given to the Board at the January meeting.

There was a question about what other RWQCBs (besides the Central Valley and Central Coast) are doing to manage irrigated agriculture.

Celeste responded that the Region 7 (Colorado River Basin region) is using their TMDL program to address water quality problems resulting from irrigated agriculture. They have a very successful program in place to implement their sediment TMDLs on the Alamo and New Rivers and once the sediment goals are achieved, pesticides and nutrients will be addressed. Currently 95% of growers in the region are enrolled in the RWQCB's TMDL implementation program.

#### **Update on NOA's (CVRWQCB)**

Staff is reviewing the Notices of Intent and General Reports submitted to the Regional Board by Individual Dischargers and Coalition Groups in order to comply with the 1 November 2003 deadline in the irrigated lands conditional waivers. Staff intends to send Notices of Applicability (NOA) or requests for additional information to these parties after the State Board adopts a final State Board Order regarding the petitions on the irrigated lands waivers. The State Board hearing for adoption of a final order is on 22 January 2004.

#### **Q and A on this item:**

Q. What will be done with 'shortfall' (or incomplete) NOIs?

A. Letters will be sent out on which issues still need to be addressed.

Q. How many growers are covered by current enrollment?

A. Exact number is not known, but the number of acres covered is- approximately 7 million. There are 8 coalitions enrolled and 72 individual dischargers.

(The breakdown who filed NOIs is included in the staff report for the December Board meeting. \* Jessie will email this report to the group)

### **Managed Wetlands (CVRWQCB)**

DFG, USFWS, and Grasslands Water District (GWD) recently came up with the following draft definition of “Managed Wetlands” for use in the irrigated lands conditional waiver process:

“For purposes of the conditional waiver (Resolution No. R5-2003-0105), “**Managed Wetlands**” are wetlands<sup>1</sup> that land managers flood and drain during specific periods<sup>2</sup> to enhance wildlife habitat values for specific wildlife species, which subsequently discharge to waters of the state. Managed wetlands include “**seasonal wetlands**” which are flooded in the fall and drawn down in the late winter to late spring; “**semi-permanent wetlands**” which are flooded in the fall or winter and retain water into mid-summer; “**reverse-cycle wetlands**” which are flooded only during spring and summer months; and “**permanent wetlands**” which remain flooded year-round, with only occasional draw-downs.

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<sup>1</sup>Cowardin 1979. “Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes; (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year”.

<sup>2</sup>utilizing dikes, water control structures, pumps, and/or other structures.”

DFG, USFWS, and GWD are currently covered under the July 2003 waiver via participation in the Sacramento Valley and West Side San Joaquin Valley Water Quality Coalitions.

### **Q and A on this item:**

Q. Has DFG looked at the impact to riparian habitat of not having tailwaters entering those areas?

A. This is an area that DFG has not looked into.

**Comments on this item:**

As connected as the wetlands and agricultural complexes are, the two groups are definitely going to need to coordinate on the waiver issue whether there is a separate waiver issued or not.

A large majority of the wetlands in the south valley have return flows as their source. It is more of a mix in the north valley.

**Low Threat Waiver (CVRWQCB)**

A low threat waiver is something the CVRWQCB wants to develop, and a rough draft has been prepared. CVRWQCB staff have been approached at many grower meetings and symposia about this – there is a lot of interest in it. Unfortunately, given existing staff limitations, a finalized low-threat conditional waiver (complete with CEQA) ready for Board consideration/adoption will not be developed in the near term. A key issue with the low threat waiver will be what types of operations/conditions would be appropriate for a low threat waiver. The CVRWQCB will need input on how to define what constitutes a ‘low threat’ discharge. They are looking to get monitoring data and other information that agencies and the industry may have which will help them decide who is a low threat discharger. Since the waivers will cover such a large geographic area (approximately 7 million acres) it will help CVRWQCB staff to have a greater understanding of where the real problems are so that they can be addressed appropriately.

It was proposed that identifying “low threat areas” as defined by soil type, crop type, etc. might be something to consider. It was also pointed out that how this would fit in with or affect the existing waivers and the Coalition Group efforts needs to be considered.

CDPR offered CVRWQCB its strategy for pest management which includes detailed information about soil types and leaching potential statewide. This is exactly the type of information CVRWQCB staff are looking for.

**\*If you would like to provide CVRWQCB staff with information for the development of a low threat waiver, please contact Molly White in Sacramento at (916) 464-4781 [Whitem@rb5s.swrcb.ca.gov](mailto:Whitem@rb5s.swrcb.ca.gov) or Pete Osmolovsky in Fresno at (559) 445-6086 [Osmolovskyp@rb5f.swrcb.ca.gov](mailto:Osmolovskyp@rb5f.swrcb.ca.gov)**

It was suggested that monitoring work done through the Coalition Groups could help identify where the low threat areas are.

Dryland farming and non-irrigated pasture operations are also issues that the CVRWQCB is being faced with.

## **Update from the Central Coast RWQCB (CCRWQCB) on the development of their waiver**

The CCRWQCB has not adopted a waiver yet, but their waiver will be going before their Board for adoption at their March 18<sup>th</sup> Board hearing. **You can go to the CCRWQCB's website for more information on what will be going to the Board for adoption.**  
<http://www.swrcb.ca.gov/rwqcb3/index.htm>

An Ag. Advisory panel was convened by the CCRWQCB to make recommendations for what should be included in the waiver. The Panel has recommended a tiered structure for the program. For example, those who have a completed Farm Water Quality Plan would receive a 5-year waiver. Others would have annual waivers.

Funding for the short courses (which are part of the requirements of the CCRWQCB's waiver) is still not secure. The CCRWQCB is still looking into ways to fund these courses.

## **Stormwater Permits and the Waivers for Irrigated Agriculture**

This item was carried over from the previous meeting where the issue was raised that some counties have stormwater permits for Phase II that cover the entire county. Growers in these counties were under the impression that they did not need to be covered under a waiver since they believed the stormwater permit covered them. Bruce Fujimoto from the SWRCB clarified that stormwater permits do not cover runoff from agriculture. They are not intended to cover privately owned operations of any kind.

The one way that the programs can work together is through their monitoring components. There is a definite opportunity there. As part of the Phase I stormwater permit program there is monitoring in place for heavily urbanized areas such as Sacramento, San Francisco, LA. The Phase II program does not have a monitoring component. It is up to the RWQCBs to develop these. It could be beneficial to coordinate the monitoring with monitoring that is being conducted for the agricultural waiver programs.

In some cases nurseries (which are considered agriculture) in urban areas are addressed through the development of local ordinances.

**Parking Lot Item:** How to resolve specific monitoring issues between stormwater and the Ag. Waiver programs so that the monitoring being conducted for both programs is complimentary.

## **Funding Opportunities: Ag. Grants Program**

Propositions 40 and 50 have approximately \$20 Million in set asides specifically for Ag. related projects. The SWRCB is currently working with the RWQCBs, CDFA, and the UC Davis Biologically Integrated Farming Systems (BIFS) program to determine a

structure for the Ag. Grants program and to develop guidelines for applicants. These guidelines will be circulated for public comment and must be approved by the SWRCB. Priorities need to be established. There must be outreach to disadvantaged communities. There will be a couple of public workshops, which will most likely be held in late March to early April. Guidelines are expected to be complete this summer. The criteria development will consider RWQCB's priorities.

### **The Role of the UC and the implementation of the Waiver Program**

Larry Schwankl announced that there will be two meetings held in the Central Valley in Feb. (one in Fresno (date TBD) and one in Davis on Feb. 11<sup>th</sup>). The purpose of these meetings will be to educate UCCE staff about the waiver program. County Ag. Commissioners are also invited to the meetings. The basics of the waiver will be covered so some Commissioners may already have this information and may not be interested in attending.

Larry felt that the area where the UC will really play a big part in the implementation of the waiver program would be through Management Practice implementation and helping growers determine the best practices to use.

The question of whether or not an inventory of practices being implemented throughout the valley existed. UCD does not have this, but they do have several manuals related to MP implementation available.

The group agreed that what researchers have seen in terms of MP effectiveness needs to be compiled.

Under the CVRWQCB conditional waivers, starting with the April 1<sup>st</sup> deliverables, Coalition Groups and individual dischargers are to report on what practices are being implemented.

Is this an opportunity to start tracking relevant MP implementation data? Coalition Groups, CDFA, DPR and others could all play a role in this tracking.

Farm advisors in the Central Coast region have been tracking implementation. Tailgate meetings are held for specific commodity groups to discuss practices. CCRWQCB staff has developed a spreadsheet of practices being implemented. The CCRWQCB is also conducting effectiveness monitoring of these practices on a watershed scale.

Grower short courses are going to be offered in El Dorado County starting in mid-February. Orchards, vineyards, and a variety of specialty crops are located in this county. Tehama County is also considering offering short courses for growers.

UCCE and ANR have taken large budget cuts and they are going to need to find ways to work through these difficult times.

The UCCE has developed a template for the Farm Water Quality Plans. One component of this template is a checklist of MPs that are known to have an effect on water quality.  
(\*Jessie will send this checklist out to the group)

Other tools might be the USDA's Crop Profiles (on their website), as well as information from Pest Control Advisors and commodity groups.

### **Meeting Wrap-Up**

The group was asked if there would be value in expanding the group to include commodity groups and PCAs. Specific invitation could also be sent to representatives of Coalition Groups not yet participating. Group members supported expanding participation and agreed that inviting these others entities to participate would be beneficial to the process.

A Coalition Group representative had questions about the information required on management practices for the reports due from Coalition Groups on April 1, 2004, under the CVRWQCB irrigated lands conditional waiver, and requested guidance from staff to help focus their efforts on this element. Regional Board staff agreed to provide this, and suggested that Coalition Group representatives provide information on their status, along with issues and questions they have identified thus far to help inform the discussion. It was further identified that having entities such as the University of California Cooperative Extension, the Natural Resources Conservation Service, commodity groups, etc., provide existing information they have on management practices could help Coalition Groups develop the management practice information required for the reports due April 1st. It was decided that this will be the focus of the next meeting.

### **The next meeting:**

**When: Mon. Feb. 9<sup>th</sup>, 2004**

Where: CVRWQCB Offices in Sacramento (new location)  
11020 Sun Center Drive, #200  
Rancho Cordova, Ca. 95670-6114  
(916) 464-3291

(see website for directions)

[http://www.swrcb.ca.gov/rwqcb5/contact\\_us/sacto\\_location.html](http://www.swrcb.ca.gov/rwqcb5/contact_us/sacto_location.html)

Meeting will likely be all day and a workshop format.

### **Proposed Agenda Items:**

- Update on CVRWQCB Irrigated Lands Conditional Waivers
- What the CVRWQCB is looking for on management practices in the April 1<sup>st</sup> reports

- Report from Coalition Groups on status in developing management practice information for the April 1<sup>st</sup> report / questions and issues they have identified
- Discussion on how NRCS, UCCE, and the commodity groups can work with the Coalition Groups on this, and sharing of existing information on management practices.